

SKLARWILLIAMS, PLLC
Crane M. Pomerantz (NV Bar NO. 14103)
410 S. Rampart Blvd., Suite 350
Las Vegas, Nevada 89145
Telephone: (702) 360-6000
Facsimile: (702) 360-0000
CPomerantz@sklar-law.com

OLSHAN FROME WOLOSKY LLP
Kyle C. Bisceglie (*pro hac vice*)
Kyle J. Kolb (*pro hac vice*)
1325 Avenue of the Americas
New York, New York 10019
Telephone: (212) 451-2300
Facsimile: (212) 451-2222
Kbisceglie@olshanlaw.com
Kkolb@olshanlaw.com
*Attorneys for Plaintiffs REMARK
HOLDINGS, INC. and KANKAN LIMITED*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

REMARK HOLDINGS, INC., a Delaware
Corporation and KANKAN LIMITED, a
British Virgin Islands company,

Plaintiff,

v.

CHINA BRANDING GROUP LIMITED (IN
OFFICIAL LIQUIDATION), an exempted
Cayman Islands company acting by and
through its joint official liquidators; ADAM
ROSEMAN; JOINT OFFICIAL
LIQUIDATORS, with no personal liability,
HUGH DICKSON OF GRANT
THORNTON SPECIALIST SERVICES
(CAYMAN) LTD, a Cayman Islands
company, and DAVID BENNETT OF
GRANT THORNTON RECOVERY AND
REORGANISATION LTD, a Cayman
Islands company; and DOES 1 through 10,
inclusive,,

Defendants.

Case No.: 2:18-cv-00322-JAD-CWH

**STIPULATION REGARDING THE
PENDING MOTIONS TO DISMISS
AND ORDER GRANTING**

ECF Nos. 20, 40, 58

Plaintiffs Remark Holdings, Inc., and Kankan Limited ("Plaintiffs"), by and through
their counsel of record, Sklar Williams, PLLC, and Olshan Frome Wolosky LLP, and

1 Defendants China Branding Group Limited (In Official Liquidation) (“CBG”) acting through its
2 joint official liquidators, Joint Official Liquidators, Hugh Dickson of Grant Thornton Specialist
3 Services, and David Bennett of Grant Thornton Recovery and Reorganisation Ltd. (the
4 “Cayman Defendants”), by and through their counsel of record, Holland & Hart LLP and
5 Sheppard, Mullin, Richter & Hampton LLP, hereby stipulate and agree as follows:

6 1. On February 21, 2018, Plaintiffs filed the Complaint in this action and asserted
7 claims against Adam Roseman and the Cayman Defendants.

8 2. On April 25, 2018, Adam Roseman filed a Motion to Dismiss the Complaint as
9 against him [ECF No. 20].

10 3. On September 14, 2018, the Cayman Defendants filed a Motion to Dismiss the
11 Complaint as against them [ECF No. 40], which raised similar issues of law as the Motion to
12 Dismiss filed by Mr. Roseman.

13 4. On October 30, 2018, CBG asserted Counterclaims against Plaintiffs [EFC No.
14 53].

15 5. The parties held a mediation on January 14 and 15, 2019, during which Plaintiffs
16 and the Cayman Defendants reached an agreement in principle to resolve their claims against
17 each other. Plaintiffs did not reach a resolution with Roseman, and counsel for Roseman is not a
18 party to this stipulation. Plaintiffs and the Cayman Defendants are currently negotiating final
19 terms for the settlement of their claims against each other, subject to the conditions precedent
20 that the parties agree to the terms of a written Definitive Settlement Agreement, and such
21 Definitive Settlement Agreement is approved by Plaintiffs’ Board of Directors and the Grand
22 Court of the Cayman Islands.

23 6. Accordingly, Plaintiffs and the Cayman Defendants respectfully request that the
24 Court hold in abeyance any ruling on the pending Motions to Dismiss for a period of thirty days
25 to allow Plaintiffs and the Cayman Defendants to finalize the definitive terms of their
26 settlement.

1 DATED this 19th day of January 2019

DATED this 19th day of January 2019

2
3 /s/ Robert D. Weber

4 Robert D. Weber (*Admitted pro hac vice*)
5 SHEPPARD, MULLIN, RICHTER &
6 HAMPTON LLP
1901 Avenue of the Stars, Suite 1600
Los Angeles, California 90067-6055

7 Robert J. Cassity (NV Bar No. 9779)
8 HOLLAND & HART LLP
9 9555 Hillwood Dr., Second Floor
Las Vegas, NV 89134

10 *Attorneys for China Branding Group*
11 *Limited (In Official Liquidation) and its*
12 *Joint Official Liquidators Hugh Dickson*
and David Bennett

/s/ Kyle J. Kolb

Kyle C. Bisceglie (*pro hac vice*)
Kyle J. Kolb (*pro hac vice*)
OLSHAN FROME WOLOSKY LLP
1325 Avenue of the Americas
New York, New York 10019

Crane M. Pomerantz (NV Bar No. 14103)
SKLAR WILLIAMS, PLLC
410 S. Rampart Blvd., Suite 350
Las Vegas, Nevada 89145

Attorneys for Plaintiffs REMARK
HOLDINGS, INC. and KANKAN LIMITED

13 **ORDER**

14 The court **construes this stipulation [ECF No. 58] as a joint motion** under Local
15 Rule 7-1(c) because it was signed by fewer than all parties to this case. Good cause
16 appearing, it is **HEREBY ORDERED** that **the joint motion [ECF No. 58] is**
17 **GRANTED, and the court will hold the pending motions to dismiss in abeyance**
until February 21, 2019.

18
19 
20 U.S. District Judge Jennifer Dorsey
21 January 22, 2019
22
23
24
25
26
27
28